

**REMARKS**

Claims 1-50 are now pending in the application. By this amendment new claims 47-50 have been added. Claims 29 and 30 are amended to correct a typographical error.

The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

Basis for the new claims 47-49 can be found in Paragraphs [0057] through [0063].  
Basis for new claim 50 can be found in Paragraphs [0052] and [0058] at least of US Publication 2004/0117394A1.

**Prior Art**

In Paragraphs 7 and 8 of the Office Action, the Examiner asserts that each of claims 146 are rejected under 35 U.S.C. 102(e) as being anticipated by US Publication No. 2003/0065779 (Malik et al).

**Inferred Duration – an Important Aspect of Applicants' Invention**

Unlike the art of record, the applicants' invention is able to infer the duration of a communication event. Of course, the prior art teaches that one can measure the duration of events (such as phone conversations), which normally do have a recorded "durations" associated with them. However, applicants' invention goes beyond this. Applicants' invention can *infer* the duration of communications events that do not normally have a recorded duration. For example, a text-based message (such as an email message or web page) is not conventionally measured in terms of duration. Indeed, in conventional terms, it

seems quite odd to measure a text-based message in terms of duration. To illustrate this is so, compare the two examples below:

Example 1 (conventional):

“My daughter talked on the phone for one hour and thirty minutes.” [recorded duration makes sense here]

But it would not be conventional to express an email message as having a recorded duration:

Example 2 (not conventional):

“I just received a 45 minute email from my son.” [measuring email message in terms of duration (minutes) makes no sense here in common practice.]

Contrary to conventional practice, the applicants’ invention can infer the duration of communications events (like text-based messages, emails, web pages) that do not have recorded durations. The applicants’ invention employs a processing agent that is arranged to infer a duration of these communications events.

With this important aspect of applicants’ invention in mind, we turn now to a discussion of applicants claims.

### **Novelty of Independent Claims over US Publication No. 2003/0065779 (Malik et al)**

Independent apparatus claims 1, 47 and 50

Claims 1 and 50 relate to a communications management apparatus. New claim 50 differs from claim 1 in that it further recites that the inferred duration is used "to calculate costs for communications events." New claim 47 is similar to claim 1, except that it more explicitly recites that the processing agent is arranged to infer a duration for a text-based message.

The applicants' apparatus [as described in US Publication 2004/0117394A1] comprises a networked computing means on which is provided: a translation agent with access to usage data of a plurality of communications resources, a database accessible to the translation agent and including data in a system-specific format and a processing agent. The translation agent is arranged to consolidate the usage data of the plurality of communications resources by consulting the database and converting system-specific data to data having a common format.

Claims 1 and 50 also includes the feature that the processing agent is arranged to infer a duration for a communication event that does not have a recorded duration so as to calculate costs. Claim 47 includes the feature that the processing agent is arranged to infer a duration for a text-based message.

Paragraphs [0035]-[0044] at least of US Publication 2004/0117394A1, describe that when a communications event occurs, a record of the communications event is created by the system providing the communications service. As described in Paragraphs [0010], [0057] and [0058] at least of US Publication 2004/0117394A1, a communications event record may not include a recorded duration. As claimed in claim 1, the processing agent is

arranged to infer a duration for a communication event that does not have a recorded duration. Paragraphs [0057]-[0062] describe how the duration may be inferred for a communication event that does not have a recorded duration. Paragraphs [0011]-[0013] at least of US Publication 2004/0117394A1, describe that the inferred duration is then available for use in providing a cost.

It is respectfully submitted that Malik et al does not disclose the combination of features of claim 1.

In the Office Action, Examiner states that Figure 5 and [0066] of Malik et al discloses a log of data that keeps track of all types of communications activity.

It is respectfully submitted that the mere display of recorded data relating to communications activity, as shown in Figures 5A and 5B of Malik et al, does not disclose apparatus arranged to infer a duration for a communication event that does not have a recorded duration.

In the Office Action, Examiner states that [0115] of Malik et al discloses that the monitoring and retrieval of data about the user of the CIR manager of Malik et al may involve a charge that is to be paid by the user.

It is respectfully submitted that the mere disclosure of an incurred charge does not disclose apparatus arranged to infer a duration for a communication event that does not have a recorded so as to calculate costs for communications events. Further, it is submitted that a mere reference to how to pay for the charge does not disclose apparatus

arranged to infer a duration for a communication event that does not have a recorded so as to calculate costs for communications events.

It is submitted that Malik et al does not include any disclosure relating to apparatus arranged to infer a duration for a communication event that does not have a recorded duration. It is further submitted that Malik et al does not disclose utilizing an inferred duration so as to calculate costs for communications events.

Thus, it is submitted that claims 1 and 50 are novel over US Publication No. 2003/0065779 (Malik et al).

#### Independent method claim 25

Claim 25 relates to a method of managing communications by determining costs associated with the use of communications resources. The method comprises the steps of: accessing usage data from a plurality of communications resources; consolidating the usage data from system-specific formats to a common format; and costing communication events that have a recorded duration.

Claim 25 also includes the steps of inferring a duration for communication events that do not have a recorded duration and inferring costs for communication events that do not have a recorded duration.

Paragraphs [0035]-[0044] at least of US Publication 2004/0117394A1, describe that when a communications event occurs, a record of the communications event is created by the system providing the communications service. As described in Paragraphs [0010], [0057] and [0058] at least of US Publication 2004/0117394A1, a communications event

record may not include a recorded duration. As claimed in claim 1, the processing agent is arranged to infer a duration for a communication event that does not have a recorded duration. Paragraphs [0057]-[0062] describe how the duration may be inferred for a communication event that does not have a recorded duration. Paragraphs [0011]-[0013] at least of US Publication 2004/0117394A1, describe that the inferred duration is then available for use in providing a cost.

It is respectfully submitted that Malik et al does not disclose the combination of method steps of claim 25.

The Examiner is referred to argument submitted above in respect of claim 1, in relation to inferring a duration for a communication event that does not have a recorded duration so as to calculate costs.

It is submitted that Malik et al does not include any disclosure relating to inferring a duration for a communication event that does not have a recorded duration. It is submitted further submitted that Malik et al does not disclose utilizing an inferred duration so as to calculate costs.

Thus, it is submitted that claim 25 is novel over US Publication No. 2003/0065779 (Malik et al).

#### Independent apparatus claim 31

Claim 31 relates to a communications management apparatus. The apparatus comprises a networked computing means on which is provided: a translation agent with

access to usage data of a plurality of communications resources, a database accessible to the translation agent and including data in a system-specific format and a processing agent. The translation agent is arranged to consolidate the usage data of the plurality of communications resources by consulting the database and converting system-specific data to data having a common format.

Claim 31 also includes the feature that the processing agent is arranged to identify unknown addresses present in the usage data but not contained in the database so as to mark unidentified addresses for identification.

Paragraphs [0035]-[0044] at least of US Publication 2004/0117394A1, describe that when a communications event occurs, a record of the communications event is created by the system providing the communications service. As described in Paragraph [0014] at least of US Publication 2004/0117394A1, a communications event record may include an address. As claimed in claim 31, the processing agent is arranged to identify an unknown address that is present in the usage data but not identified in the database. Paragraphs [0014], [0064]-[0069] and [0084] at least of US Publication 2004/0117394A1, describe how the processing agent is arranged may identify a match for an address in reference to the database, and, if a match for an address is not found, the unidentified address is marked for identification.

It is respectfully submitted that Malik et al does not disclose the combination of features of claim 31.

In the Office Action, Examiner states that a user of the CIR manager of Malik et al ignoring a telephone call is interpreted as identifying an unknown addresses. The Examiner appears to suggest that the communication be ignored because the address is unknown. However, the Examiner states that the user of the CIR manager of Malik et al may leave a communication unanswered for another reason, in particular that the user is busy with another communication.

It is respectfully submitted that the mere leaving of a communication unanswered by a user does not disclose apparatus arranged to identify unknown addresses present in the usage data but not contained in the database.

In the Office Action, Examiner states that the CIR manager of Malik et al recording of a reason for the leaving of a communication unanswered is equivalent to marking unidentified addresses.

It is respectfully submitted that the mere recordal of an unanswered communication does not disclose identifying unknown addresses present in the usage data but not contained in the database so as to mark unidentified addresses for identification.

It is submitted that Malik et al does not disclose apparatus arranged to identify unknown addresses present in the usage data but not contained in the database so as to mark unidentified addresses for identification.

Thus, it is submitted that claim 31 is novel over US Publication No. 2003/0065779 (Malik et al).

Independent method claim 39



Claim 39 relates to a method of managing communications by determining costs associated with the use of communications resources. The method comprises the steps of: accessing usage data from a plurality of communications resources; consolidating the usage data from 'system-specific formats to a common format; and costing communication events that have a recorded duration.

Claim 39 also includes the steps of maintaining a database of communications addresses to identify known addresses, and identifying unknown addresses present in the usage data but not contained in the database so as to mark unidentified addresses for identification.

Paragraphs [0035]-[0044] at least of US Publication 2004/0117394A1, describe that when a communications event occurs, a record of the communications event is created by the system providing the communications service. As described in Paragraph [0014] at least of US Publication 2004/0117394A1, a communications event record may include an address. As claimed in claim 31, the processing agent identifies an unknown address that is present in the usage data but not identified in the database. Paragraphs [0014], [0064]-[0069] and [0084] at least of US Publication 2004/0117394A1, describe that the processing agent is arranged to identify a match for an address in reference to the database, however if a match for an address is not found, the unidentified address is marked for identification.

It is respectfully submitted that Malik et al does not disclose the combination of method steps of claim 39.

The Examiner is referred to argument submitted above in respect of claim 31, in relation to identifying unknown addresses present in the usage data but not contained in the database so as to mark unidentified addresses for identification.

The Examiner is referred to argument submitted above in respect of claim 1, in relation to calculating costs for communications events.

It is submitted that Malik et al does not disclose costing communication events that have a recorded duration. It is further submitted that Malik et al does not disclose identifying unknown addresses present in the usage data but not contained in the database so as to mark unidentified addresses for identification.

Thus, it is submitted that claim 39 is novel over US Publication No. 2003/0065779 (Malik et al).

**Non-obviousness of Independent Claims over  
US Publication No. 2003/0065779 (Malik et al)**

**Present application**

As discussed in Paragraph [0002] of the present application, public and private sector organizations are increasingly dependent upon communication media, such as telephone and e-mail, and this means that their staff are spending more time using such communication media. Costs of communication can constitute a significant proportion of the total overhead of an organization, and changes in staff usage of communication resources impacts on organization operation and management.

The present application provides communications management apparatus and methods of managing communications by identifying communication events and determining usage patterns and costs associated with the use of communications resources.

As described on Paragraph [0016] of the present application, this assists an organization in assessing and understanding how different usage patterns of different communication resources and the relative costs attributed to different communication events fits the overall objectives of the organization. Monitoring of different staff communications by different staff facilitates an organization to identify optimal investment, media or changes to business processes and to control communications cost in the organization.

US Publication No. 2003/0065779 (Malik et al)

As discussed in Paragraphs [0003]-[0005] of US Publication No. 2003/0065779 (Malik et al), to stay in touch with others, a user may accumulate a number of communications devices, services, and a variety of information resources. Given the many communications devices, services, and information resources a user may accumulate, a user may find it overwhelming to efficiently organize and utilize the devices, services, and information resources.

US Publication No. 2003/0065779 (Malik et al) provides a communication and information resource manager arranged to centralize communications activities and information, and configurable to present personal preferences.

As described in Paragraphs [0037] and [0038] of US Publication No. 2003/0065779 (Malik et al), this assists the user in handling communications activities by negating the requirement for the user to check or use each type of communications device individually.

Related fields

US Publication No. 2003/0065779 (Malik et al) presents a user with details related to the different communications devices, services, and information resources associated with that particular user, for the benefit of that particular user, to interactively manage user communications.

In contrast, the present application presents an organization with data related to staff usage of different communications resources, for the benefit of the organization, to assist in managing communications and controlling communications cost in the organization.

The present application is concerned with providing apparatus to assist an organization in analyzing communications activity of several users within an organization. In contrast, Malik et al is instead concerned with providing apparatus to assist an individual in organizing their own communications activity.

It is therefore submitted that consequently, Malik et al does not teach the invention as claimed in the present application.

Independent apparatus claim 1 and independent method claim 25

Claim 1 includes the feature that the processing agent is arranged to infer a duration for a communication event that does not have a recorded duration so as to calculate costs.

Claim 25 includes the steps of inferring a duration for communication events that do not have a recorded duration and inferring costs for communication events that do not have a recorded duration.

The Examiner is referred to argument submitted above in respect of claim 1 and claim 25.

It is submitted that Malik et al does not teach inferring a duration for a communication event that does not have a recorded duration. It is therefore submitted that Malik et al does not teach inferring a duration for a communication event that does not have a recorded duration so as to calculate costs.

It is hence submitted that claims 1 and 25 are each non-obvious in light of US Publication No. 2003/0065779 (Malik et al).

Independent apparatus claim 31 and independent method claim 39

Claim 31 includes the feature that the processing agent is arranged to identify unknown addresses present in the usage data but not contained in the database so as to mark unidentified addresses for identification.

Claim 39 includes the steps of maintaining a database of communications addresses to identify known addresses, and identifying unknown addresses present in the

usage data but not contained in the database so as to mark unidentified addresses for identification.

The Examiner is referred to argument submitted above in respect of claim 31 and claim 39.

It is submitted that Malik et al does not teach identifying unknown addresses present in the usage data but not contained in the database so as to mark unidentified addresses for identification.

It is hence submitted that claim 31 is non-obvious in light of US Publication No. 2003/0065779 (Malik et al).

### **Novelty and Non-Obviousness of Dependent claims**

Dependent claims 2-24 each include the subject matter of independent apparatus claim 1 by reference. Dependent claims 26-30 each include the subject matter of independent method claim 25 by reference.

Dependent claims 32-38 each include the subject matter of independent apparatus claim 31 by reference. Dependent claims 40-46 each include the subject matter of independent method claim 39 by reference.

It is therefore submitted that each of the dependent claims 2-24, 26-30, 32-38 and 40-46 are novel and non-obvious over US Publication No. 2003/0065779 (Malik et al).

**CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition fo

r allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-0750, under Order No. 9637-000077/US from which the undersigned is authorized to draw.

Dated: August 7, 2007

Respectfully submitted,

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